IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 8787-M of 2007

DATE OF DECISION : 12.02.2007

Kuldeep Singh

.... PETITIONER

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. J.K. Goel, Advocate,
for the petitioner.

* * *

Petitioner Kuldeep Singh has filed this petition under Section 482 of the Code of Criminal Procedure for quashing of order dated 18.10.2006, passed by Judicial Magistrate Ist Class, Hisar, in case FIR No. 366 dated 22.8.2001 registered at Police Station City Hisar under Sections 498-A, 506, 406, 120-B IPC, whereby on application filed by the prosecution under Section 311 of the Code, copy of judgment and decree dated 5.12.2005, granting divorce to the wife on the ground of cruelty and harassment, has been taken on record, while observing as under :-

> "The allegations in the present case against the accused are of causing cruelty to the complainant as well as putting her to harassment for not bringing sufficient dowry. The judgment and decree dated 5.12.2005 has also been passed on the ground of cruelty by the Court of Doctor Shiva Sharma, learned Additional District Judge, Hisar in a divorce petition titled as Kiran Bala vs. Kuldeep. In these circumstances, the said judgment and decree dated 5.12.2005 is an essential and necessary document to be produced on the court file to arrive at a just and proper decision of this case. Accordingly, the

application under consideration is and the complainant is granted permission to produce the said judgment and decree dated 5.12.2005 in the evidence."

After hearing counsel for the petitioner, I do not find any ground to interfere in the impugned order.

Dismissed.

February 12, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**